

Community & Economic Development Committee Meeting AGENDA

September 5, 2017 - 12:00 Noon
Conference Room A/B/C, Second Floor

Committee Members: Chairman Bob Thomas, Wendy Maurer, Gary Snellings

Agenda Item	
1.	Consider an ordinance change regarding parking for manufacturing uses
2.	Update Committee on E-plan implementation
3	Proposed Ordinance Changes related to Utilities Advanced Payments
4.	Discussion of Revoking SUP for Car Sales lot
5.	Request the Planning Commission review approved uses in the A1 zoning category
	Next CEDC meeting is scheduled for October 3, 2017

CEDC09052017agenda



Current Situation

- An existing manufacturing business wants to expand in the County. The business indicates that the zoning ordinance requires too much parking because parking is calculated on building square footage rather than shift size.
- The Planning Commission is currently working on a comprehensive review of parking and loading space standards.
- The business would like to have a timely approval of an ordinance change to facilitate their expansion plans.
- Approval of a comprehensive review of parking standards will take longer than a single amendment.

Proposed End State

- The business wants plans to be approved for the building expansion as soon as possible. Due to leasing constraints they need the expansion built and ready for occupancy by the third quarter of next year (2018). A timely ordinance amendment will assist with the approval of a site plan for the project

Request for the CEDC Committee/Board of Supervisors

- Consider referring an amendment to the zoning ordinance to the Planning Commission to change the parking standard for manufacturing uses from 2.25 spaces per 1,000 square feet to 2 parking spaces per employee of the largest shift.

Benefits to the County

- Approval of the ordinance amendment would facilitate expansion of an existing manufacturing operation in the county thereby enhancing the real estate tax base and employment payroll.
- The amendment would reduce site development costs by constructing less parking and allowing more land area for building expansion.
- The amendment would apply to and benefit other existing and future manufacturing businesses.

Update on Building Permit ePlans Implementation

- After conducting in-house testing and trial rounds, ePlans software is now up and running.
- Beta testing with an outside applicant has been initiated and the first live building permit was applied for on 08/16/17.
- This initial application has gone thru the first round of permit reviews and we have received positive feedback from the applicant and reviewers.
- Testing for online payment with ePlans was also successful.
- ePlans instructions have gone out to two other applicants for beta testing.
- Once these two applicants have their plans prepared, staff will meet with them to walk thru the application process as they submit their permit in real time.
- In-house staff training and fine tuning with the software developer continues to ensure a smooth transition during ePlans implementation.
- Plan reviewers and other staff from multiple disciplines have been trained, including those from the CDSC, building, zoning, environmental, and utilities. VDOT has also been included in training. We are currently working on training Health Department reviewers.
- Staff is developing training materials for the public and revising the website for online permitting.
- Training materials include “How to” videos that can be viewed from the County website, and other training documents.
- Training sessions will be provided to FABA and other interested parties as the process is expanded to all users.
- Some minor adjustments are still being made to the Dynamic Portal software, which acts as the interface with the public.
- We anticipate a release to the public for ePlans after successful beta testing. Release is scheduled tentatively for mid-October.
- Site Plan and other Planning related applications will follow and are a few months behind the ePlans application process due to staff turnover.

BOARD OF SUPERVISORS

Agenda Item

Meeting Date:	September 5, 2017
Title:	Authorize the County Administrator to Advertise a Public Hearing to Consider an Amendment to County Code Sec. 25-101(a), "Advance Payments on Accounts"
Department:	Utilities
Staff Contact:	Jason D. Towery, PE, Utilities Director
Board Committee/ Other BACC:	Community and Economic Development Committee; Utilities Commission
Staff Recommendation:	Approval
Fiscal Impact:	N/A
Time Sensitivity:	N/A

ATTACHMENTS:

1.	Background Report	3.	Proposed Ordinance 017-35
2.	Proposed Resolution R17-224	4.	UC Minutes dtd 6/13/2017

<input checked="" type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Other Business	<input type="checkbox"/>	Unfinished Business
<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Presentation	<input type="checkbox"/>	Work Session
<input type="checkbox"/>	New Business	<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Add-On

REVIEW:

X	County Administrator	<i>Thomas C. Foley</i>
X	County Attorney (legal review only)	<i>Dysheda M. McClenston for C&S</i>

DISTRICT:	N/A
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BACKGROUND REPORT

County Code Sec. 25-101(a) sets forth the requirement that advance payments are to be paid when new Utilities accounts are established:

- (a) There shall be an advance payment for each account established. Upon termination of service, the advance payment will be credited to the balance of the final bill.

When a rental property “turns-over,” or returns to the possession of the property owner between renters, the property owner often sets up an interim account with the Utilities Department and the advance payment is charged. Staff routinely receives complaints from property owners in this situation who feel it is burdensome to make the advance payment only to have it credited back shortly thereafter.

At the CEDC meeting on May 2, 2017, the Committee referred the matter to the Utilities Commission for consideration and to propose language for an ordinance amendment. At its meeting on June 13, 2017, the Utilities Commission held a public hearing, and after consider the public testimony, if any, voted 5-0 (Ms. Lovitt and Mr. Makee were absent) to recommend approval of the ordinance amendment. For single-family properties with accounts in good standing, it is proposed that advance payments may be eliminated for these “turn-over” situations. The proposed language reads:

- (b) Upon written request of the owner of a single-family rental property, whose current or previous account is in good standing and who has set up a temporary account between renters, the Director of Utilities, or his designee, will exempt the owner from making the advanced payment as required in subsection (a) directly above upon turnover of the single-family rental property. Commercial properties and multi-family residences shall not be granted an exemption.

The proposed ordinance amendment requires a public hearing. Staff recommends approval of proposed Resolution R17-224, which authorizes the County Administrator to advertise a public hearing to consider an amendment to County Code Sec. 25-101, “Advance payments when account established.”

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 5th day of September, 2017:

MEMBERS:

Paul V. Milde, III, Chairman
Meg Bohmke, Vice Chairman
Jack R. Cavalier
Wendy E. Maurer
Laura A. Sellers
Gary F. Snellings
Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN
AMENDMENT TO STAFFORD COUNTY CODE SEC. 25-101,
"ADVANCE PAYMENT WHEN ACCOUNT ESTABLISHED"

WHEREAS, the Board believes that the effect of County Code Sec. 25-101(a) imposes a burden on residential utilities customers who are attempting to rent their single-family properties by requiring property owners to make advance payments between renters; and

WHEREAS, the Board desires to consider allowing owners of single-family rental properties, whose utility accounts are in good standing, to set up temporary accounts between renters without requiring an advance payment; and

WHEREAS, the Utilities Commission held a public hearing to consider public testimony, if any, and vote 5 – 0 to recommend approval; and

WHEREAS, the Board desires and is required to hold a public hearing to consider amending the County Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2017, the County Administrator be and he hereby is authorized to advertise a public hearing to consider an amendment to Stafford County Code Sec. 25-101, "Advance payment when account established."

O17-35

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the day of , 2017:

MEMBERS:

Paul V. Milde, III, Chairman
Meg Bohmke, Vice Chairman
Jack R. Cavalier
Wendy E. Maurer
Laura A. Sellers
Gary F. Snellings
Robert “Bob” Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD
COUNTY CODE SEC. 25-101, “ADVANCE PAYMENT WHEN
ACCOUNT ESTABLISHED”

WHEREAS, the Board believes that the effect of County Code Sec. 25-101(a) imposes a burden on residential utilities customers who are attempting to rent their single-family properties by requiring the property owner to make advance payments between renters; and

WHEREAS, the Board desires to allow owners of single-family rental properties whose utility accounts are in good standing to set up temporary accounts between renters without requiring an advance payment; and

WHEREAS, the Utilities Commission held a public hearing to consider public testimony, if any, and voted 5 – 0 to recommend approval; and

WHEREAS, the Board carefully considered the recommendations of the Utilities Commission and staff, and public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this day of , 2017, that Stafford County Code Sec. 25-101, "Advance payments when account established" be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

Sec. 25-101. - Advance payment when account established.

- (a) There shall be an advance payment for each account established. Upon termination of service, the advance payment will be credited to the balance of the final bill.
- (b) Upon written request of the owner of a single-family rental property, whose current or previous account is in good standing and who has set up a temporary account between renters, the Director of Utilities, or his designee, will exempt the owner from making the advanced payment as required in subsection (a) directly above upon turnover of the single-family rental property. Commercial properties and multi-family residences shall not be granted an exemption.
- (c) At the option of the county administrator, a customer whose account has been current during the past twelve (12) months and who desires to transfer the advance payment from one address to another within the county's utility service area, may be permitted if the request is in writing, to transfer the advance payment to the new address. It is also agreed that the balance due the county after the generation of a final bill on the discontinued account will be transferred to the new account.

Stafford County Utilities Commission
Meeting Minutes

June 13, 2017

A. CALL TO ORDER

Mr. Towery called to order the regular meeting of the Utilities Commission (UC) at the George L. Gordon, Jr. Government Center on June 13th, 2017 at 7:00 pm in the ABC Conference Room and asked Ms. Dyson to call the role.

B. ROLL CALL

Members present: Joyce Arndt, Bill Tignor, Mickey Kwiatkowski, Alan Glazman and Moses Boulden.

Members absent: DaBora Lovitt, Mike Makee

Staff present: Jason Towery, Bryon Counsell, Aref Etemadi and Sylvia Dyson

C. APPROVAL OF MINUTES

Bill Tignor made a motion to approve the March 20th and May 9th meeting minutes as written. Mr. Boulden seconded the motion. The motion passed 4-0. (Ms. Lovitt and Mr. Makee were absent at the time of the motion).

D. PRESENTATIONS BY THE PUBLIC

There were no presentations.

E. PUBLIC HEARINGS

1. Advance Payment Ordinance

Mr. Tignor expressed concern to recuse himself from this discussion and voting due to family members directly associated with this matter. Mr. Towery explained that he felt it would be appropriate for him to participate in this discussion. Mr. Towery gave a briefing of the County Code Chapter 25-101 Advance Payment which states "There shall be an Advance Payment for each account established. Upon termination of service, the advance payment will be credited to the balance of the final bill".

Ms. Kwiatkowski expressed her agreement with the change in advance payments and gave examples such as one single builder could have 10 meter sets and we have to set the account up and the after a minimum final bill then each account has to be sent a refund check this change could end up as a savings for the County.

Mr. Towery explained this is only set up for Private Owners at this point however we could make a recommendation to the board. Mr. Towery proceeded to explain the Proposed Advance Payment.

Mr. Tignor gave an example of his current situation regarding his family has three rental properties when the tenant terminates the utilities Gas and Electric company's automatically start service back in his name and I get the bill while the house has to be renovated or painted until its rented again. Mr. Towery stated this would address this issue. Mr. Tignor expressed that with any account with a turnover like what Ms. Kwiatkowski described earlier would make sense to do that to save labor cost as well as a convenience to the Property Owner. Mr. Towery stated that he will review the proposed advance payment and make a recommendation for the changes.

Mr. Towery reiterated that Ms. Kwiatkowski is correct about how many times the Builders have to put the accounts in their name. Ms. Kwiatkowski explained the builders are not allowed to use construction meters for the

building process. Mr. Counsell inquired to Ms. Kwiatkowski if it is the deposit that's getting returned to the builders Ms. Kwiatkowski replied yes. Ms. Kwiatkowski inquired as a logistic you would write a onetime letter to Utilities to let them know you are a landlord until further notice you would want that account to go back in your name. Mr. Tignor explained that the Power Company has an agreement they have on file. Ms. Kwiatkowski explained this is not what they are saying in this Proposal. Mr. Towery explained what staff is looking for is to have flexibility specifically for customers in good standing who have proven to be trustworthy. Ms. Kwiatkowski stated that you can obtain this information by looking at account payment history. Mr. Tignor mentioned that he may have tenant that may be delinquent but he pays his bill during the time the bill is in his name. Mr. Towery expressed his concern at this time to include the Builders simply for the fact that it went to the Board and was very specific to be for Homeowners of single family homes. Perhaps it would be better if the Commission would ask the Board to consider expanding this at a future time. We could even go back to the Board even at an Infrastructure Committee level and explain the additional discussions and concerns of the Commission. Ms. Kwiatkowski inquired if this request came from staff or was it channeled through a Board Member? Mr. Tower replied from staff after a few complaints. Mr. Glazman was concerned that the wording "at the discretion of the Director of Utilities so you have the ability if you see some situation that is abnormal for some reason you can decide not to waive the fee, I feel you have left a loop hole in here. Mr. Tignor explained as he and his family is considering letting a property management company take over the rental properties would they then be excluded from this proposed change. Mr. Towery explained that there would be exceptions made such as this case, where Property Management would be acceptable. Mr. Towery addressed Mr. Glazman's concerns this is at the discretion of the Director of Utilities and we should be careful how many request come before the Utilities Department. Perhaps if this works out we could consider expanding the Advance Payment to Builders. Joyce Arndt stated this should be proposed for just property owners that are County Residents. Mr. Towery stated there are a lot of Military family's that come to Stafford I would not want to preclude them from having that opportunity assuming their account is in good standing. Ms. Kwiatkowski mentioned the wording states, that the Director would review at his discretion does this mean that YOU would be looking at every one of those request or will you designate somebody? Mr. Towery replied it would probably be designated depending on the quantity of requests likely to Customer Service Team. Ms. Kwiatkowski recommends the Billing Supervisor. Bill Tignor made motion to recommend the approval of Advance Payment Ordinance. The motion was seconded by Ms. Kwiatkowski and was passed with a 5-0 vote (Ms. Lovitt and Mr. Makee) absent.

F. REPORTS BY COMMISSION MEMBERS

1. Mr. Tignor voted no against the Mt. Olive Rd Water Extension because I felt the threshold for what we had to accomplish was too high.
2. Mr. Tignor expressed his concern about when people put a well in with a permit from the Health Department and all this means is that you can't put a well close to septic system it doesn't refer to the amount or quality of water you're getting. Mr. Towery did clarify that there is a minimum flow rate of 3 gpm by the Health Dept. Mr. Towery stated that conditions during a drought can be very different. Ms. Kwiatkowski inquired about the BOS approving the Piedmont Study. Mr. Towery affirmed they did approve that just last week. ECS has been selected to do that study. Mr. Tignor feels anyone in Real Estate should be required to know these issues with private water supplies. Mr. Towery confirmed that this is direction of the study will go. Mr. Glazman stated as long as they meet that minimum flow rate they can still put the well where ever they want. Mr. Towery stated that is not the intent of the study.

G. DIRECTOR'S REPORT

1. Falls Run Force Main was approved thanks to staff which would include Bryon Counsell and Jason Pauley's team. Abel Lake Dam Spillway Improvement Project has been approved Bryon Counsell explained the expected cost of the project the design costs are going to be around \$400,000.00 and the construction costs

will be between 4 and 6 million. June 20th meeting contract renewals for Water/ Wastewater Chemicals, Water Meter, Repair Supplies and Billing Services these contracts are renewed yearly. The other item is to have the County Administrator execute a contract for the purchase of a new CCTV Equipment for repairs on existing sewer lines. Construction of water and sewer Betterments at the Ferry Road Intersection and the last item is a contract to paint the Ferry Road Water Tank.

2. Neighborhood Projects Update

Truslow Road Neighborhood Sewer Project the bids were high staff is adjusting the plans and will rebid. Snellings Lane Neighborhood Sewer Project will be discussing the plan at the upcoming July Infrastructure Committee Meeting.

Cedar Lane Neighborhood Water Project regarding new information there will be a second Public Hearing.

3. Pump and Haul Update

Preparing final copies of reports staff will send these out with notices

The five sites that have been approved for alternative onsite septic systems have been notified by mail and verbally.

4. Master Plan

O'Brian and Gere is preparing draft report

5. Operations and Customer Service Update

Active accounts are up 2.1% since last year.

Increased EDU compared to last year

Operations will be preparing for a uni-directional flush of Aquia Harbour and Falmouth

Copies of the 2016 Water Quality Report was sent to Customer.

6. Construction Project Update

Bryon Counsell stated Route 1 North 3" gravity sewer line night work continues.

Falls Run I-95 Crossing is underway and the contractor is experiencing some problems with the bore but the contractor is overcoming the problems and should be back to boring very soon.

Courthouse Water Tank, Ebenezer Church Pump Station and Centerport Sewer Extension is underway

Claiborne Run Sewer Interceptor Replacement came back high staff is proceeding with plan adjustments to rehabilitate a portion of the main in lieu of replacement which will reduce the cost of the project.

Bids packages for the Jail Sewer Upgrades, Sweetbriar Force Main Upgrade and the Aquia at the Bridge should be out very soon. Courthouse Road Waterline have been received however Staff has decided to perform the work with internal staff we are trying to use our own resources on some of the smaller jobs such as this one.

Claiborne Force Main will be about six miles of Force Main to build which we are proceeding with. Ms.

Kwiatkowski inquired if Pro Rata money would be used for the Claiborne Run Project. Bryon Counsell replied yes, it is a split project 50% user fees and 50% Pro Rata.

H. NEW BUSINESS

1. Consider Amendment to Utility Commission Bylaws

In January 2016 Board of Supervisors proposed the Chairmanship limited to two years, the Utility Commission Bylaws do not reflect a two year. We would like to have a discussion at the next meeting the reason for this is to give notice for advertisement. No action is required this meeting.

2. Consider a new Public Hearing for Cedar Lane Waterline Extension

The Utility Commission at the May 9th Public Hearing to recommend approval of the Cedar Lane Water Extension Project however since that time additional information has come to Ms. Staff's attention regarding the 800ft of 16" line we cannot adequately turn over water in the proposed extension. We would have to continue the 16" line down to Austin Ridge Blvd. which is about another 2,000ft of line this would increase the project cost another \$500,000. Ms. Kwiatkowski inquired about VDOT putting in some of the line? Mr. Towery stated there is no immediate need in terms of overall system. Ms. Kwiatkowski inquired about the water quality after all the work is completed. Mr. Towery stated it would be hard to say we would like to ask the Utility Commission to consider another Public Hearing to disclose this information. Ms. Kwiatkowski inquired if the resident had been notified. Mr. Towery stated they have not staff wanted to inform the (UC) first. Mr. Tignor inquired if this extension would serve any other purpose. Mr. Towery stated it would add an additional way to move water. Mr. Tignor asked if this would change this project to a large scale. Mr. Towery explained that it would potentially change the scale to a large project.

Mr. Tignor made a motion to have another Public Hearing, which was seconded by Ms. Kwiatkowski. The motion passed 5-0. (Ms. Lovitt and Mr. Makee) absent.

I. ADJOURNMENT

Mr. Tignor made a motion to adjourn, which was seconded by Ms. Kwiatkowski. The motion was passed 5-0. (Ms. Lovitt and Mr. Makee) absent.

There being no further business, Mr. Tignor adjourned the meeting at 8:10 PM.

Minutes submitted by,



Michael Makee,
Recording Secretary

Current Situation

- Premier Auto, leasing 24 Derrick Lane, is repeatedly violating the conditions of SUP80-11
 - Parking autos to be sold on property across the street that is not zoned for such use
 - Allowing employees to park their vehicles on property across the street that is not zoned for such use.
- A pattern of repeated cycle of violations (complaint - failed inspection - notice of violation issued – compliance)
- Pattern for past 17 months

Proposed End State

- Revoke SUP80-11 to eliminate the violations of parking autos for sale and employee vehicles on residential property that is not zoned for such a use.

Request for the CEDC Committee/Board of Supervisors

- Refer the issue of potential revocation of Special Use Permit to the Planning Commission and Board of Supervisors for public hearings.

Benefits to the County

- Revocation would eliminate use violations on the property in question and limit encroachment of commercial uses into a residential area.

BOARD OF SUPERVISORS OF SUPERVISORS

Agenda Item

Meeting Date:	September 5, 2017
Title:	Refer to the Planning Commission the Revocation of a Special Use Permit on Tax Map Parcel No. 21-44
Department:	Planning and Zoning
Staff Contact:	Jeffrey A. Harvey, Director
Board Committee/ Other BACC:	N/A
Staff Recommendation:	Approval
Fiscal Impact:	N/A
Time Sensitivity:	N/A

ATTACHMENTS:

1.	Background Report	5.	Location Map
2.	Proposed Resolution R17-233	6.	Aerial Map
3.	Proposed Resolution R17-244	7.	Inspection and Notice of Violation data
4.	Site Pictures	8.	Resolution R81-68

<input checked="" type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Other Business	<input type="checkbox"/>	Unfinished Business
<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Presentation	<input type="checkbox"/>	Work Session
<input type="checkbox"/>	New Business	<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Add-On

REVIEW:

X	County Administrator	<i>Thomas C. Foley</i>
X	County Attorney (legal review only)	<i>Rupheda M. M. Elender for C & S</i>

DISTRICT:	Aquia
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BACKGROUND REPORT

The Board is asked to consider referring to the Planning Commission the revocation of Special Use Permit (SUP) SUP80-11 (the terminology was changed to Conditional Use Permit (CUP) in 1994). At its meeting on January 20, 1981, the Board adopted Resolution R81-68 (Attachment 8), which approved application SUP80-11 for a used auto sales and service facility located at 24 Derrick Lane, on Tax Map Parcel No. 21-44 (Property). The Property is zoned B-2, Urban Commercial, which requires a CUP for a motor vehicle sales facility. Currently, the Property is occupied by a motor vehicle sales business known as Premier Auto, which since 2003 has been owned by David M. Attai (Property Owner).

In December 2015, September 2016, March 2017, and May 2017, staff received complaints about vehicle storage and employee parking on 25 Derrick Lane, which is located across the street from the Property (Attachments 5 & 6). Each time, violations were verified by a site inspection and a notice of violation (NOV) was issued (except for May 2017). Each notice of violation gave the property owner thirty days to abate the violation. On or before the thirtieth day, every time, the Property Owner would remove the motor vehicles from across the road, abating the violation. The motor vehicles would then be returned within the next several days.

Violations were validated by taking pictures of the motor vehicles (Attachment 4) on the Property and matching the vehicle identification numbers (VIN) to the vehicles for sale on the Premier Auto website. Attachment 7 contains a list of the dates of the inspections, the status of the inspections, and the dates the NOVs were issued. *

Over the past 17 months, Premier Auto has repeatedly violated the SUP and County Code by storing motor vehicles and parking employee vehicles across the road on the property that does not allow for such a use in the B-2 Zoning District. The most current photographs show a violation as recently as June 20, 2017. NOVs were sent to the Property Owners of both 24 and 25 Derrick Lane.

In accordance with Virginia Code § 15.2-2309, the Board and Planning Commission are required to hold a public hearing prior to the revocation of a SUP. Due to the continual and repeated violations, staff recommends approval of proposed Resolution R17-233, which refers to the revocation of SUP80-11 to the Planning Commission for its review and a public hearing before returning its recommendations to the Board.

* The vehicle identification numbers were not included with the attachment provided.

R17-233

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 5th day of September, 2017:

MEMBERS:

Paul V. Milde, III, Chairman
Meg Bohmke, Vice Chairman
Jack R. Cavalier
Wendy E. Maurer
Laura A. Sellers
Gary F. Snellings
Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION REFERRING TO THE PLANNING COMMISSION
THE PROPOSED REVOCATION OF SPECIAL USE PERMIT SUP80-11
ON TAX MAP PARCEL NO. 21-44, LOCATED WITHIN THE AQUIA
ELECTION DISTRICT

WHEREAS, at its meeting on January 20, 1981, the Board adopted Resolution R81-68, which approved special use permit application SUP80-11 (SUP) for a used automobile sales and service facility in the B-2, Urban Commercial Zoning District, on Tax Map Parcel No. 21-44 (Property) located within the Aquia Election District; and

WHEREAS, the owner of the Property, David M. Attai (Property Owner) has failed to comply with the SUP and County Code, and despite repeated notifications of non-compliance, the Property has repeatedly been found to be in violation; and

WHEREAS, SUP Condition No. 7, states, "This permit may be revoked at the discretion of the Board of Supervisors for violation of these conditions or for violation of the County Code;" and

WHEREAS, the Board desires to refer the proposed revocation of the SUP to the Planning Commission for its review, recommendation, and to hold a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2017, that the proposed revocation of SUP80-11 pursuant to proposed Resolution R17-233, be and it hereby is referred to the Planning Commission for its review, to hold a public hearing, and to return its recommendations to the Board of Supervisors.

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the day of , 2017:

MEMBERS:

Paul V. Milde, III, Chairman
Meg Bohmke, Vice Chairman
Jack R. Cavalier
Wendy E. Maurer
Laura A. Sellers
Gary F. Snellings
Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION TO REVOKE SPECIAL USE PERMIT SUP80-11
FOR A USED AUTOMOBILE SALES AND SERVICE FACILITY
IN THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON
TAX MAP PARCEL NO. 21-44, LOCATED WITHIN THE AQUIA
ELECTION DISTRICT

WHEREAS, at its meeting on January 20, 1981, the Board adopted Resolution R81-68, which approved special use permit application SUP80-11 (SUP) for a used automobile sales and service facility in the B-2, Urban Commercial Zoning District, on Tax Map Parcel 21-44 (Property) located in the Aquia Election District; and

WHEREAS, the owner of the Property, David M. Attai (Property Owner) has failed to comply with the SUP and County Code, and despite repeated notifications of non-compliance, the Property has repeatedly been found to be in violation; and

WHEREAS, SUP Condition No. 7, states, "This permit may be revoked at the discretion of the Board of Supervisors for violation of these conditions or for violation of the County Code;" and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony if any, received at the public hearing; and

WHEREAS, The Board desires to revoke the SUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of , 2017, that Special Use Permit SUP80-11 on Tax Map Parcel No. 21-44 be and it hereby is revoked; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon adoption.

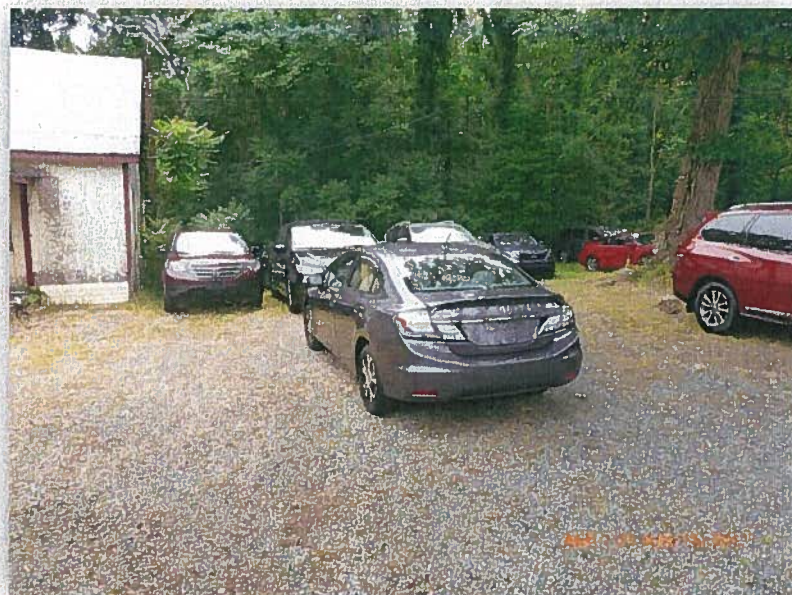
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Compliance after
March 2017 NOV

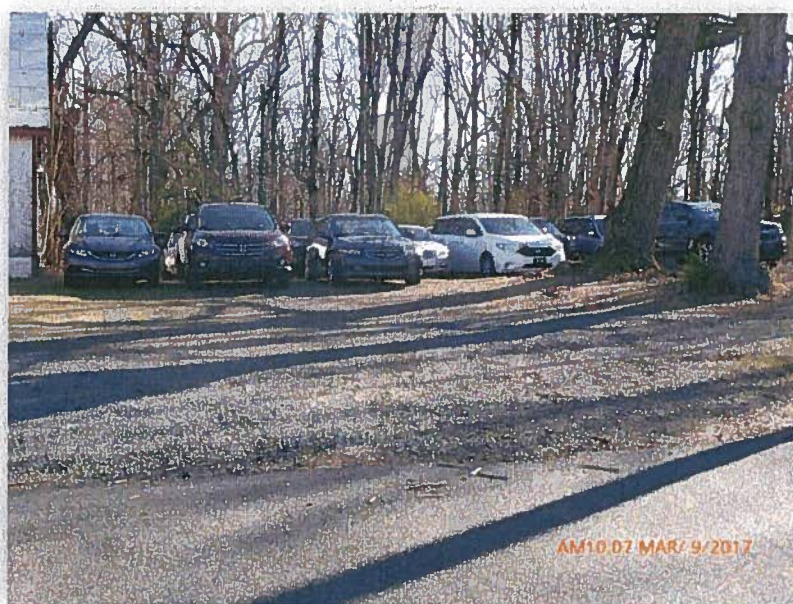


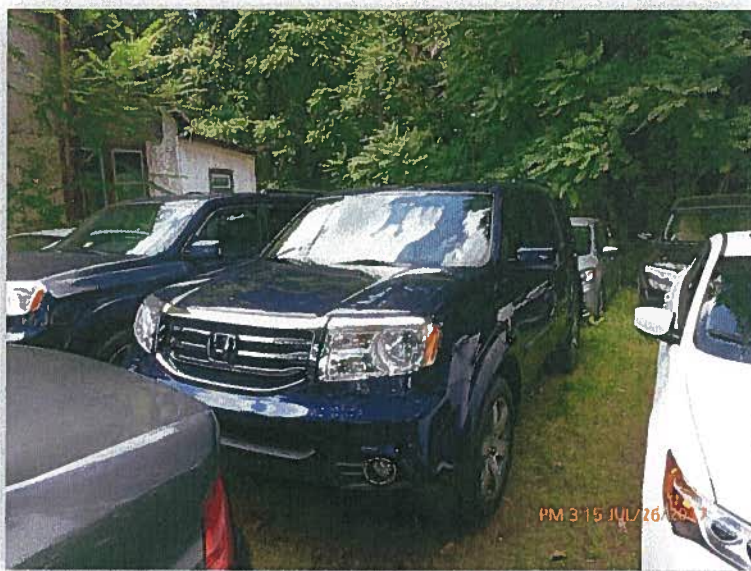
Compliance after
March 2017 NOV



Compliance after
Dec 2015 NOV





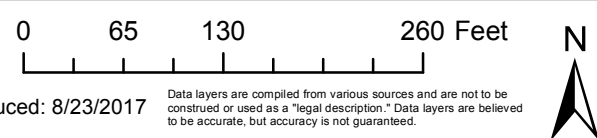
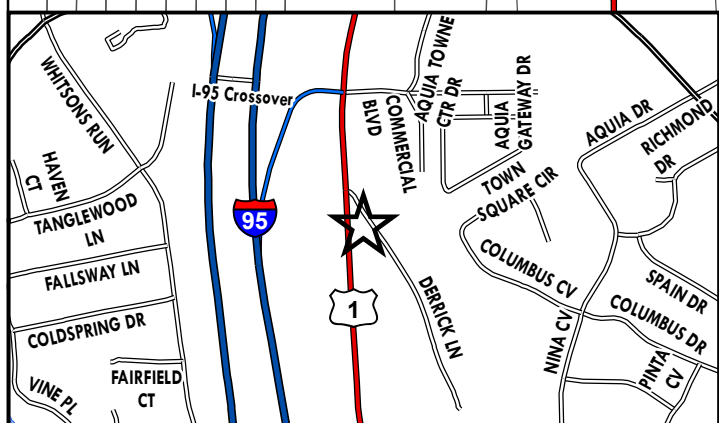
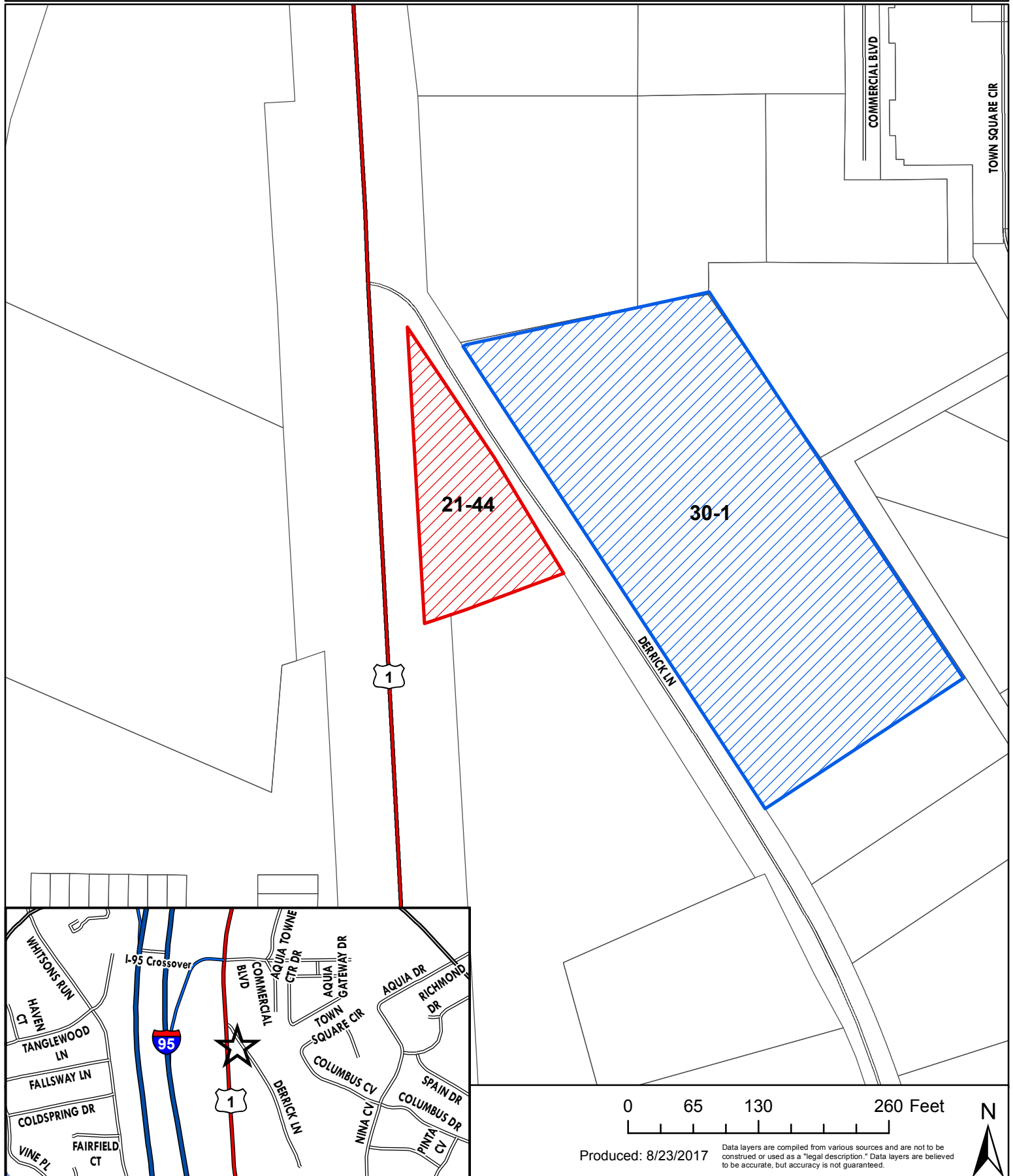




Tax Map Parcel No. 21-44

Premier Auto

Produced by the Stafford County Department of Planning and Zoning
540-658-8668 | P.O. Box 339 Stafford, VA 22555

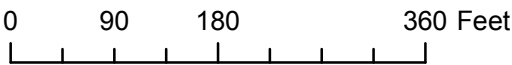
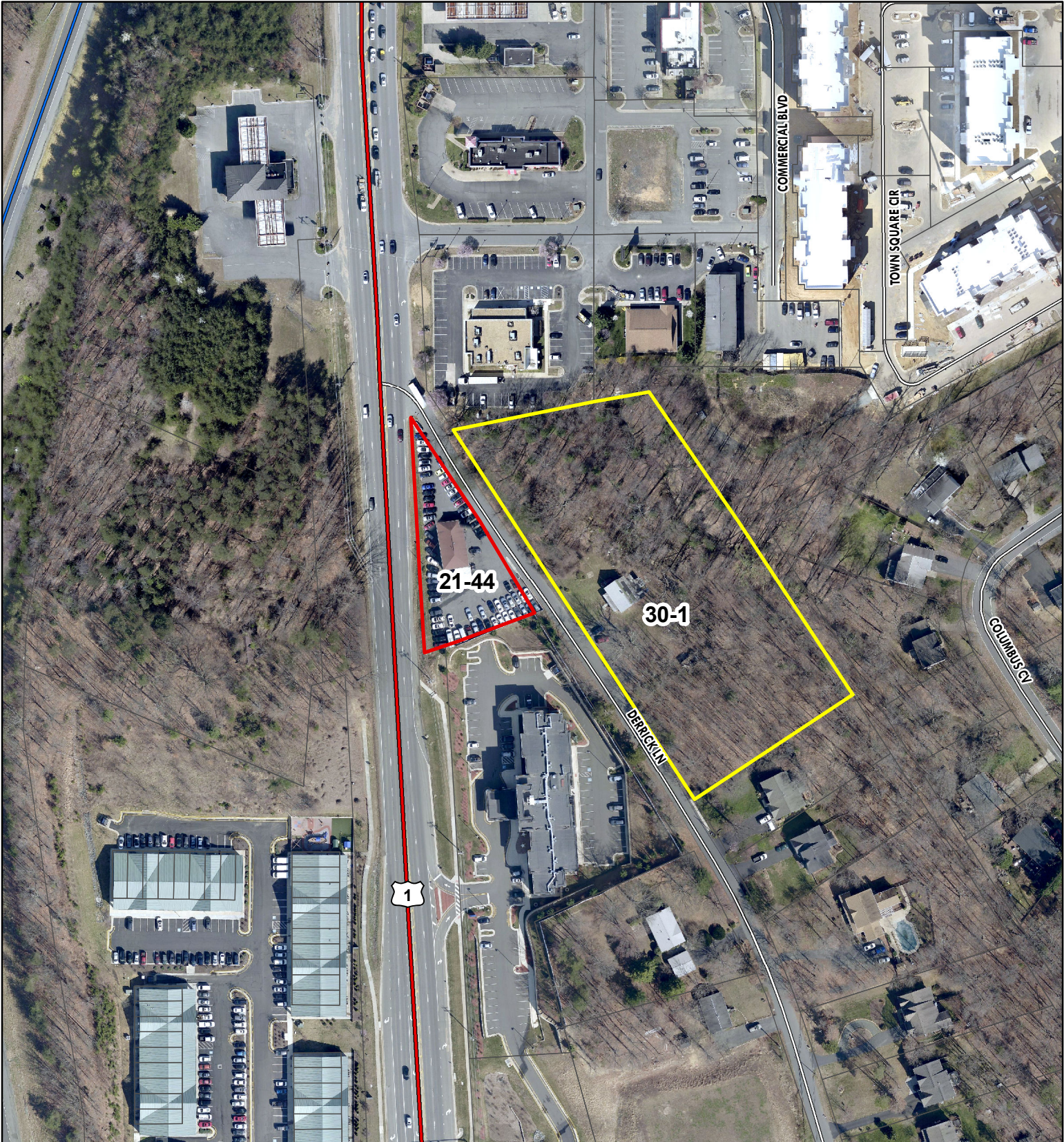




Tax Map Parcel Nos. 21-44 and 30-1

Premier Auto

Produced by the Stafford County Department of Planning and Zoning
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Produced: 8/23/2017

Data layers are compiled from various sources and are not to be construed or used as a "legal description." Data layers are believed to be accurate, but accuracy is not guaranteed.



Inspection and Notice of Violation dates for 25 Derrick Lane

December 2, 2015	Inspection failed
December 10, 2015	Notice of violation sent
January 12, 2016	Inspection passed
September 7, 2016	Inspection failed
September 15, 2016	Notice of violation sent
October 26, 2016	Inspection failed
November 7, 2016	Inspection failed
December 27, 2016	Inspection passed
February 1, 2017	Inspection failed
February 2, 2017	Inspection failed
March 2, 2107	Inspection failed
March 9, 2017	Notice of violation sent
April 11, 2017	Inspection passed
April 25, 2107	Inspection passed
April 27, 2017	Inspection failed
May 30, 2017	Inspection passed
June 9, 2017	Inspection failed
June 16, 2017	Inspection failed
June 20, 2017	Inspection failed

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Proposed Resolution RB1-68 reads as follows:

A RESOLUTION TO APPROVE APPLICATION NO. SUP80-11 WHICH REQUESTS A SPECIAL USE PERMIT AUTHORIZING THE ESTABLISHMENT AND OPERATION OF A USED AUTO SALES AND SERVICE FACILITY ON PROPERTY LOCATED ON THE EAST SIDE OF ROUTE 1 AT ITS INTERSECTION WITH ROUTE 697, AND IDENTIFIED AS PARCEL 44 ON ZONING MAP 21

WHEREAS, Calvin H. Brooks has submitted application No. SUP80-11 requesting a special use permit be granted permitting the operation of a Used Auto Sales and Service Facility on parcel 44, as shown on zoning map 21, consisting of .7075 acres more or less, zoned B-2. The property is located on the east side of Route 1 at its intersection with Route 697, Aquia District.

WHEREAS, this application has been submitted pursuant to Section 28-7 of the Stafford County Code authorizing the establishment and operation of a Used Auto Sales and Service facility in the B-2 (General Commercial) zoning district only after a Special Use Permit has been approved by the Board of Supervisors, and

WHEREAS, the Stafford County Planning Commission has considered this request and recommended by a 11 to 0 vote that it be approved, subject to certain conditions, and

WHEREAS, the Board after careful consideration of testimony received at public hearing has determined that the proposed use is consistent with the land use plan and is compatible with the general character of development and needs in the surrounding area, and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors this 20th day of January, 1981 that Application No. SUP80-11 be and it hereby is approved subject to the following conditions:

- (1) This permit is for Calvin H. Brooks and is not transferable.
- (2) All necessary state and local licenses and permits must be obtained.
- (3) That all vehicles be located at least 10' from the right-of-way.
- (4) The property is to be kept clean of all junk and debris.
- (5) No parts and equipment are to be stored outside.

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- (6) At no time shall wrecked or inoperable vehicles be stored on the property.
- (7) This permit may be revoked at the discretion of the Board of Supervisors for violation of these conditions or for violation of the County Code.

<p><u>Current Situation</u></p> <ul style="list-style-type: none"> Commissioner Steven Apicella has raised concerns through Supervisor Maurer that continued residential development in A-1, Agricultural Zoning Districts has the potential to create conflicts between traditional agricultural uses and residential activities. A-1 zoning standards are attached. 	<p><u>Proposed End State</u></p> <ul style="list-style-type: none"> Develop ordinance amendments that would reduce conflicts between agricultural and residential activities.
<p><u>Request for the CEDC Committee/Board of Supervisors</u></p> <ul style="list-style-type: none"> Refer the issue to the Planning Commission to make recommendations for potentially modifying the A-1 zoning category or establish performance standards for certain agricultural uses. Consideration should be made for input by the Ag/PDR Committee on any proposed code changes affecting agricultural activities and support services. 	<p><u>Benefits to the County</u></p> <ul style="list-style-type: none"> Such amendments could protect residential property values as well as protect agricultural related businesses.

TABLE 3.1 ~ DISTRICT USES & STANDARDS

A-1 ~ Agricultural

The purpose of the A-1 district is to reserve areas for traditional agricultural activities and to provide for their continuation as well as preservation of areas of rural character.

Uses Permitted By Right

Accessory Dwelling
Agricultural service establishment on
lots greater than or equal to 5 acres
Agriculture
Aquaculture
Automobile Avocation
Bed & Breakfast Inn
Boat Sales
Campground
Cemetery
Club/Lodge/Fraternal Organization
Community Use
Equestrian Use & Bridle Path
Farmers Market
in accord with section 28-39(v)
Feed Lot
Forestry
Golf Course
Group Family Day Care Home
in accord with section 28-39(g)
Home Business
Home Occupation

Manufactured Home Qualifying as a
single-family home under Virginia Code
Noncommercial Kennel
Park & Playground
Parking & Storage of Commercial Vehicles
Place of Worship
Plant & Tree Nursery/Greenhouse
Public Facilities/Utilities*
Public Works excluding wastewater
treatment facilities.
Recreational Enterprise
Recreational Facility
Sawmill & Ancillary Products
Secondary Dwelling (50) or more
years in age upon referral of the
Stafford County Historic Commission
Single-Family Dwelling
Slaughter & Animal Processing
incidental to agricultural intensive use
Small Family Day Care Home
Veterinary Clinic
Wayside Stand
Wetland Mitigation Bank

Conditional Use Permit

Airport, private
Child Care Center
Commercial Kennel
Commercial Tree Stump Grinding
& Mulch Sale
Communication Facility
Flea Market (indoor & outdoor)
Horse Racing
Hotel/Motel
Marina
Nursing Home
Public Facilities/Utilities**
School
Test Lane Facility
Travel Trailer/RV Park
Turkey Shoot

Special Exception

Agriculture service establishment on
lots less than 5 acres
Parking & Storage of Commercial
vehicles on lots less than 3 acres
Rural Home Business

* but not including generating facilities, substations, switching stations and wastewater treatment facilities which are permitted as a conditional use permit and not including propane and heating fuel distribution facilities

** for generating facilities, substations, switching stations and wastewater treatment facilities (except for the expansion or modification to

TABLE 3.1 ~ DISTRICT USES & STANDARDS
A-1 ~ Agricultural

<u>Minimum Yards</u>	<u>Min. Lot Area</u>	<u>Min. Lot Width</u>	<u>Max. Bldg. Height</u>
Conventional subdivision: Front 50 feet Side 20 feet Rear 35 feet	Conventional subdivision ~3 acres Cluster subdivision ~ 1.5 acres Max. density with TDR's ~ 2.25 du/acre (TDR developments limited to single-family detached dwellings)	Conventional ~200 feet Cluster ~100 feet	35 feet
Cluster subdivision: Front 40 feet Side 10 feet Rear 35 feet			
	<u>Intensity</u> Open Space requirement for cluster subdivision ~0.50% of total subdivision tract Open Space Ratio for public works, cemetery, club, lodge, fraternal organization, schools, and places of worship ~ 0.50 Open Space Ratio, other uses ~ 0.80		